IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO.6740 OF 2005

Shrikrishna Ganesh Padhye & Ors. : Petitioners

V/s.

The Hon'ble Minister, Department of

Cooperation, Mantralaya & Ors. : Respondents

...

Mr.S.S.Patwardhan for the petitioners.

Mr.D.A.Patil, Asstt. Govt. Pleader for the respondent nos.1 to 3.

Mrs.A.B.Kololgi for Mr.Tejpal S. Ingale for the respondent nos.5 & 7.

...

CORAM : S.A. BOBDE, J.

October 5, 2005.

P.C.:

1. Rule, returnable forthwith.

The learned counsel for the respective respondents waive service of rule.

Heard by consent.

2. The petitioners have challenged the impugned order of the Minister (Co-operation) dated 20.7.2005 which reads as

follows:-

"Grant stay and put up for hearing".

I see no reason to interfere since it is an interlocutory order granted by the Minister, pending revision. It is, however, clear that the revision which is entertained by the Minister (Co-operation) in which the impugned order of stay is granted is against an order in appeal setting aside the appointment of an Administrator. Therefore, the grant of stay to such an appellate order cannot have the effect of automatically reviving the appointment of the Administrator which has been set aside by the appellate authority on 12.4.2005. In this view of the matter, there is no reason to interfere. The learned Minister may dispose of the revision application as expeditiously as possible and, in any case, not later than three months from today.

3. The rule stands discharged.

S.A. BOBDE, J.